

DEPARTMENT OF STATE REVENUE

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LETTER OF FINDINGS NUMBER: 97-0219 ST

Use Tax

Calendar Years 1993-1995

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ISSUE

Gross Retail Tax - General expenses

Authority: 45 IAC 2.2-3-4

The taxpayer protests the assessment of use tax on items that are exempt.

STATEMENT OF FACTS

Taxpayer is incorporated under the state laws of Indiana and operates a self-service laundromat.

Gross Retail Tax - Exempt purchases

DISCUSSION

The taxpayer protests the tax assessed on purchases from companies A, B, and C as tax was either charged or included in the lump sum billings.

A review of the audit shows that these items were not included for assessment but were shown on auditor working papers only.

FINDING

The taxpayer's protest is denied. The items protested were not assessed in the audit.

Gross Retail Tax - General Expenses

DISCUSSION

Taxpayer protests tax assessed on Invoice noted as "D" and asserts tax was paid upon purchase; however, upon contacting the vendor, it was determined that the invoice was destroyed in a company fire.

The audit lists additional purchases from vendor "D" on which no tax was shown therefore it is assumed that no tax was charged for the above referenced.

FINDING

The taxpayer's protest is denied. No documentation was available to show that sales tax was remitted to the vendor.

CONCLUSION

The taxpayer's protest is denied.